

**REAL ESTATE APPRAISERS BOARD MEETING
MINUTES
AUGUST 11, 2004**

PRESENT: Sharon Fiedler, LaMarr Franklin, Mark Kowbel, Roger Roslansky, Karen Scott

STAFF PRESENT: Kimberly Nania, Bureau Director; Ruby Jefferson-Moore, Legal Counsel; Pat Schenck, Program Assistant; P.J. Monson, Credentialing and Division of Enforcement Staff.

GUESTS: Debbi Conrad Wisconsin Realtors Association

CALL TO ORDER

LaMarr Franklin called the meeting to order at 9:00 a.m. A quorum of five voting members was present.

AGENDA

Additions to Agenda:

- Delete Item 4. f. – Division of Board Services and Enforcement presentation about improvements and new DRL website <http://drl.wi.gov>.

MOTION: Mark Kowbel, seconded by Roger Roslansky, to adopt the agenda with deletion of Item 4 f.. Motion carried unanimously.

APPROVAL OF MINUTES MAY 12, 2004

MOTION: Roger Roslansky moved, seconded by Sharon Fiedler, to approve the minutes of May 12, 2004 as written. Motion carried unanimously.

ADMINISTRATIVE REPORT

Kimberly Nania reported that Chris Selin from Management Services accepted a position with the University of Wisconsin, Madison, Sandra Rowe replaced Mary Schlaefel as the Deputy Secretary of the Department, and Eric Callisto is the new Division Administrator in the Division of Enforcement.

BOARD ROSTER

Noted.

2004 MEETING DATES

The next REA meeting is scheduled for November 9, 2004.

**SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND
ADMINISTRATIVE RULES AND PRESS RELEASES**

Noted.

TO-DO LIST

Noted.

REGULATORY DIGEST ARTICLES

Noted.

**TRAVEL
AARO FALL CONFERENCE,
OCTOBER 9-12, 2004, WYNDHAM WASHINGTON HOTEL, WASHINGTON DC**

MOTION: Mark Kowbel moved, seconded by Karen Scott, to nominate Sharon Fiedler to attend the AARO Fall Conference October 9-12, 2004 Wyndham Washington Hotel, Washington DC with Ruby Jefferson-Moore as an alternate. Motion carried unanimously.

**LEGISLATION AND ADMINISTRATIVE RULES
RL 80-87 RULE REVISIONS 81, 83 AND 85 Code (effective 9/1/04)**

Ms. Jefferson-Moore reviewed the changes to RL 80-87 rules with the Board and reported that the revisions will become effective on September 1, 2004.

SCOPE STATEMENT – INCORPORATION OF 2005 USPAP BY REFERENCE

The scope statement to incorporate the 2005 USPAP by reference in the Wisconsin Administrative Code will be published.

MOTION: Karen Scott moved, seconded by Sharon Fiedler, to approve the scope statement to incorporate the 2005 USPAP by reference in the Wisconsin Administrative Code under sec. 227.21, Stats. Motion carried unanimously.

SCOPE STATEMENT – REVISIONS TO CHAPTERS RL 80-87

MOTION: Mark Kowbel moved, seconded by Karen Scott, to nominate the Board Chair, LaMarr Franklin, to approve the scope statement for revisions to RL 80-87. Motion carried unanimously.

SELLER ASSISTED FINANCING – ASSEMBLY BILL 696

Noted.

**DISCUSSION REGARDING INFLATED SALES PRICES OF HOMES
DISCUSSIONS WITH REPRESENTATIVES FROM THE WISCONSIN DEPARTMENT
OF REVENUE**

Ms. Jefferson-Moore reported that a representative from the Department of Revenue was unable to attend the meeting, but will be invited to the November 10, 2004 meeting.

SELLER ASSISTED FINANCING – ASSEMBLY BILL 696

Postponed to the November 10, 2004 meeting.

BOARD MEMBER ACTIVITY

None.

**EDUCATION, EXPERIENCE AND EXAMINATION ISSUES
REPORT OF THE REA EDUCATION AND EXPERIENCE ADVISORY COMMITTEE
MEETING OF AUGUST 10, 2004**

Mark Kowbel reported on the Education and Experience Advisory Committee meeting held on August 10, 2004. The Committee discussed implementation of the new AQB requirements, core curriculum, college degree and setting a date for the AQB required core curriculum. The Board discussed finding people to review experience hours.

MOTION: Mark Kowbel moved, seconded by Karen Scott, that all applications received after July 1, 2005 shall meet the required AQB core curriculum for all classifications. Motion carried unanimously.

MOTION: Mark Kowbel moved, seconded by Sharon Fiedler, that all qualifying education for appraisers offered after July 1, 2005 must meet AQB's required core curriculum for all classifications. Motion carried unanimously.

MOTION: Mark Kowbel moved, seconded by Roger Roslansky, that all certifications granted on or after January 1, 2008 must submit evidence of completion of an associate degree or equivalent for certified residential appraisers and a bachelor's degree or equivalent for the certified general appraiser. Motion carried unanimously.

MOTION: Karen Scott moved, seconded by Mark Kowbel, to request that every application go through the review process, roster with selection of three appraisals and requires that the applicant submit two copies of each appraisal report including two copies of the complete work file for each report to the Department for review. Staff will mail out one copy to the reviewer by regular mail. Motion carried unanimously.

P. J. Monson, Credentialing, gave a brief report on a course she is enrolled in at MATC which was created by Larry Sager, MATC in order for candidates to obtain 72 experience hours. Fifty percent of experience hours can be gained by attending MATC experience courses.

**DISCUSSION RELATING TO THE APRAISAL SUBCOMMITTEE'S AMENDMENT
TO POLICY STATEMENTS
THE SUBCOMMITTEE'S PROPOSED REVISIONS TO POLICY STATEMENT 10**

Ms. Jefferson-Moore reviewed changes to Policy Statement 10 with the Board. The Appraisal Subcommittee has requested that the affidavit be eliminated beginning January 1, 2005.

DEPARTMENT'S RESPONSE TO REVISIONS

Noted.

COMMENTS FROM THE STATE OF GEORGIA

The Board reviewed the comments and the proposed amendments to Policy Statement 10 from the State of Georgia.

**DISCUSSION RELATING TO ESTABLISHING A BOARD OUTREACH PROGRAM
DISCUSSION OF ARKANSAS'S OUTREACH PROGRAM**

The Board reviewed a brochure from the State of Arkansas regarding a continuing education seminar called "A Day with the Board, Appraising Under Pressure" conducted by the 11th Annual Arkansas Appraiser Licensing & Certification Board, Continuing Education Seminars in Cooperation with NWA Appraisal Section. The Board discussed the cost of conducting a similar seminar in Wisconsin. The Board will discuss this further at their November 10, 2004.

CONTINUING EDUCATION

The Board discussed a letter received from the Appraiser Qualifications Board regarding the acceptability of continuing education hours for attendance at State board meetings. The AQB believes it is permissible for a State to award continuing education credit to credentialed appraisers who attend a REA Board meeting. The meeting must be at least two hours. A credentialed appraiser may not receive continuing education credit for attending a REA Board meeting more than once per CE Cycle and the REA Board must verify the identification of any credentialed appraiser wishing to receive credit for attending a REA Board meeting. The Board discussed monitoring the attendance and hours at a Board meeting and limiting the attendance at two hours only.

MOTION: Roger Roslansky moved, seconded by Mark Kowbel, to request that the Bureau Director investigate the feasibility of allowing real estate appraisers to attend a REA Board meeting to obtain continuing education credit. Motion carried unanimously.

PRACTICE ISSUES

None.

APPRAISER QUALIFICATIONS BOARD REAL PROPERTY APPRAISER QUALIFICATION CRITERIA, EFFECTIVE JANUARY 1, 2008

Mr. Jefferson- Moore reported on the new changes to the final "Real Property Appraiser Qualifications Criteria and Interpretations of the Criteria", effective on January 1, 2008. The Board requested that candidates take the USPAP after they have completed the first sixty hours of regular classes.

COURSE APPROVAL REQUIREMENTS – ED MORSE, CHAIR, AQB

The Board reviewed the Course Approval Requirements memo sent to course providers with AQB approved courses from Ed Morse, Chair, Appraiser Qualifications Board. Mr. Morse stated that course providers with AQB approved courses have not consistently been notifying the AQB when licensing, subcontracting, or selling their courses to secondary providers as stated in Section 2, Item H of the AQB's Course Approval Program "Policies, Procedures, and Criteria".

Course providers must immediately notify the AQB in writing of all secondary providers that have been authorized to offer AQB-approved courses. Secondary providers offering distance education courses must also have the delivery method approved by an AQB-approved source (such as IDECC) and submit the written approval to the AQB by September 1, 2004. Even though the primary provider may have originally had the course delivery method approved, the secondary provider is also required to obtain this approval to ensure they are able to meet the requirements to offer a distance education course.

APPRAISAL STANDARDS BOARD DISCUSSION OF EXPOSURE DRAFTS ON PROPOSED REVISIONS TO USPAP

The Board reviewed the second exposure draft on proposed revisions to the 2004 Edition of the Uniform Standards of Professional Appraisal Practice and the Advisory Opinions.

ADVISORY OPINIONS SCOPE OF WORK PROJECT

The Board reviewed the first exposure draft on proposed revisions to the USPAP relating to the Scope of Work Project. Board members will E-mail Mr. Lowrie with any proposed suggestions for changes.

PRESENTATION OF PROPOSED STIPULATIONS BY DIVISION OF ENFORCEMENT

Jack Temby, Attorney, Division of Enforcement, presented the proposed stipulation in the matter concerning Linda J. Rathmann 00 APP 012, 99 APP 009

INFORMATIONAL MATTERS

None.

CLOSED SESSION

MOTION: Karen Scott moved, seconded by Roger Roslansky, to convene to Closed Session to deliberate on cases involving hearings (s. 19.85 (11) (a), Stats.); to consider licensure or discipline (s. 19.85(1) (b), Stats. to consider individual histories or disciplinary data (s. 19.85(1) (f), Stats.); and to confer with legal counsel (s. 19.85(1) (g), Stats. Motion carried by roll call vote: Sharon Fiedler-yes, Mark Kowbel-yes, Roger Roslansky-yes, LaMarr Franklin-yes; Karen Scott-yes.

Open Session recessed at 11:35 a.m.

RECONVENE TO OPEN SESSION

MOTION: Roger Roslansky moved, seconded by Mark Kowbel, to reconvene into Open Session at 12:25 p.m. Motion carried unanimously.

**VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION,
IF VOTING IS APPROPRIATE**

**MONITORING REPORT
PATRICK VON VONDEREN 98 APP 001**

Dave O'Connell, DOE reported on Patrick Von Vonderen's request to lift the limitations of his appraisal license following disciplinary action.

MOTION: Karen Scott moved, seconded by Mark Kowbel, to deny Patrick's Von Vonderen's request to remove the limitations on his real estate appraisal license. Sharon Fiedler abstained. Motion carried.

THOMAS QUINLAN

No action required at this time.

**CASE CLOSINGS
PROPOSED DECISION**

None.

STIPULATION
LINDA J. RATHMANN 00 APP 012 & 99 APP 009

MOTION: Sharon Fiedler moved, seconded by Roger Roslansky, to adopt the Stipulation, Findings of Fact, Conclusions of Law, and Order in the matter concerning **Linda J. Rathmann 00 APP 012 & 99 APP 009**. Motion carried unanimously.

ADMINISTRATIVE WARNING
DANIEL E. SCHLEY

Mr. Jack Temby, Attorney, Division of Enforcement presented the Administrative warning in the matter concerning Daniel F. Schley.

MOTION: Roger Roslansky moved, seconded by Sharon Fiedler, to accept the administrative warning as written in the matter concerning **Daniel F. Schley**. Mark Kowbel abstained. Motion carried.

CONFER WITH LEGAL COUNSEL

None.

SUCH OTHER ITEMS AS AUTHORIZED BY LAW

Add Visitors Comments to future agendas.

ADJOURNMENT

MOTION: Karen Scott moved, seconded by Sharon Fiedler, to adjourn the meeting at 12:28 p.m. Motion carried unanimously.

Next Meeting: November 11, 2004

Suggested Agenda Items:

- Add Visitors Comments to future agendas.
- Inflated Sales Prices of Homes- Discussions with Representatives from the Wisconsin Department of Revenue
- Seller Assisted Financing – Assembly Bill 696
- Finding people to review experience hours.
- Continuing Education Credit – Attending a Board Meeting
- Outreach Programs